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Attorney for Defendant PFRENDER

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

| | | |
|-------------------------------|---|-----------------------|
| THE UNITED STATES OF AMERICA, |) | |
| |) | 2:16-CR-00335-JCM-CWH |
| Plaintiff, |) | (Fifth Request) |
| |) | |
| vs. |) | |
| |) | |
| HAROLD PFRENDER, |) | |
| |) | |
| Defendant. |) | |
| |) | |

Certification: This Stipulation and Order is being timely filed.

STIPULATION AND ORDER TO CONTINUE SENTENCING

IT IS HEREBY STIPULATED by Defendant Harold R. Pfrender, by and through his counsel, LANCE A. MANINGO, ESQ., of Maningo Law, and Plaintiff, United States of America, NICHOLAS A. TRUTANICH, United States Attorney, and DANIEL COWHIG, that sentencing, currently scheduled for February 22, 2019 at 10:00 a.m., be vacated and continued to a date and time convenient for this Court; however, in no event earlier than thirty (30) days from the present date of sentencing.

This Stipulation is entered into for the following reasons:

1. Defendant Pfrender is scheduled to appear for sentencing on February 22, 2019. Pfrender was scheduled to depart Orlando, Florida, at 8:00 a.m. (EST) on Thursday, February 21, 2019 and arrive to Las Vegas, Nevada, at 10:16 a.m. (PST). However, due to the snow storm Las Vegas is currently experiencing,

Pfrender's flight was cancelled. **See Exhibit "1"- Spirit Airlines Flight Status.**

2. Undersigned Counsel has reached out to the Assistant United States Attorney, Dan Cowhig, and he does not oppose continuing sentencing to allow Pfrender to economically reschedule his flight.
3. Defendant Pfrender waives any right he may have to a speedy sentencing in this matter;
4. That denial of this request for a continuance could result in a miscarriage of Justice;
5. That this is the fifth request for a continuance of the sentencing date in this case.

RESPECTFULLY SUBMITTED this 21st day of February, 2019.

Maningo Law

NICHOLAS A. TRUTANICH
United States of Attorney

By: /s/ Lance Maningo
LANCE A. MANINGO, ESQ.
Attorney for Defendant

By: /s/ Daniel J. Cowhig
DANIEL J. COWHIG
Assistant United States Attorney

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

| | | |
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| THE UNITED STATES OF AMERICA, |) | |
| |) | 2:16-CR-00335-JCM-CWH |
| Plaintiff, |) | (Fifth Request) |
| |) | |
| vs. |) | |
| |) | |
| HAROLD PFRENDER, |) | |
| |) | |
| Defendant. |) | |
| |) | |

FINDINGS OF FACTS

Based upon the pending Stipulation of the parties, and good cause appearing therefore, the Court finds that:

1. Defendant Pfreder is scheduled to appear for sentencing on February 22, 2019. Pfreder was scheduled to depart Orlando, Florida, at 8:00 a.m. (EST) on Thursday, February 21, 2019 and arrive to Las Vegas, Nevada, at 10:16 a.m. (PST). However, due to the snow storm Las Vegas is currently experiencing, Pfreder's flight was cancelled. **See Exhibit "1"- Spirit Airlines Flight Status.**
2. Undersigned Counsel has reached out to the Assistant United States Attorney, Dan Cowhig, and he does not oppose continuing sentencing to allow Pfreder to economically reschedule his flight.
3. Defendant Pfreder waives any right he may have to a speedy sentencing in this matter;
4. That denial of this request for a continuance could result in a miscarriage of Justice;
5. That this is the fifth request for a continuance of the sentencing date in this case.

CONCLUSIONS OF LAW

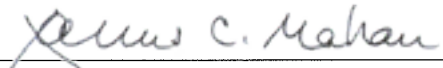
The ends of justice served by granting said continuance outweigh the best interests of the public and the defendants in a speedy trial, since the failure to grant said continuance

would be likely to result in a miscarriage of justice and would deny the defendant continuous treatment as ordered by United States Pretrial Services. The continuance sought herein is excludable under the Speedy Trial Act, Title 18 United States Code Section 3161(h)(3)(A), and Title 18 United States Code Sections 3161(h)(7)(A), considering the factors under Title 18 United States Code Sections 3161(h)(7)(B)(i) and 3161 (h)(7)(B)(iv).

ORDER

IT IS THEREFORE ORDERED that sentencing in this matter currently scheduled for February 22, 2019, at 10:00 a.m. be vacated and continued to March 28, 2019 at 10:30 a.m. in the above-noted Federal Courthouse.

DATED February 21, 2019.


UNITED STATES DISTRICT COURT JUDGE

Respectfully Submitted By:

 **MANINGO LAW**
LLP

By: /s/ Lance Maningo
Lance A. Maningo
Nevada Bar No. 6405
400 South 4th Street, Suite 650
Las Vegas, Nevada 89101
Attorney for Defendant


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EXHIBIT “1”



Flight Status | Spirit Airlines

<https://www.spirit.com>



51%

11:13 AM



1

Orlando

MCO

8:00AM

Terminal: -

Gate: 30

Flight

735

Las Vegas

LAS

10:16AM

Terminal: 1

Gate: B23

Flight Duration

5 h 16min

CANCELLED



Feedback



Arrivals

Departures

Arrival Flights as of 2/21/19 08:45:22 AM

PST Refresh Data

Search Arrival Flights:

735

Today (all fl ▼

Search

City

Time | Status

Airline

Flight

Term | Gate

Carousel

Orlando

10:16 AM | Canceled

spirit

735

T1 | Gate B23

